

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LOUIS FASULLO,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 09-cv-222-JPG
)	
ILLINOIS DEPARTMENT OF)	
CORRECTIONS,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

This matter is before the Court *sua sponte*. On October 28, 2009, the Court denied Plaintiff's motion to proceed *in forma pauperis* finding that Plaintiff had accrued "3 strikes" prior to commencing this action under 28 U.S.C. § 1915(g) and was not in imminent danger of serious physical injury. *See* (Doc. 5). Plaintiff was given 15 days within which to pay the full filing fee. *Id.* More than 15 days have passed and the Court still has not received Plaintiff's filing fee. Accordingly, this case is **DISMISSED**, with prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

Dated: 12/11/2009

s/ J. Phil Gilbert
U. S. District Judge